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E-Filed on 3/19/07

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5 Attorneys for USACM Liquidating Trust

6 **UNITED STATES BANKRUPTCY COURT**
7 **DISTRICT OF NEVADA**

8 In re:

9 **USA COMMERCIAL MORTGAGE
COMPANY,**

10 **USA CAPITAL REALTY ADVISORS, LLC,**

11 **USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,**

12 **USA CAPITAL FIRST TRUST DEED FUND,
LLC,**

13 **USA SECURITIES, LLC,**

14 Debtors.

15 **Affects:**

- 16 .. All Debtors
- 17 × USA Commercial Mortgage Company
- 18 .. USA Capital Realty Advisors, LLC
- 19 .. USA Capital Diversified Trust Deed Fund, LLC
- 20 .. USA Capital First Trust Deed Fund, LLC
- 21 .. USA Securities, LLC

22 Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

23 **CHAPTER 11**

24 Jointly Administered Under Case No. BK-S-
06-10725 LBR

25 **NOTICE OF HEARING REGARDING
OBJECTION OF THE USACM
LIQUIDATING TRUST TO PROOF OF
CLAIM FILED BY MOUNTAIN WEST
MORTGAGE CO./LERIN HILLS
(CLAIM NO. 203)**

26 Hearing Date: April 26, 2007
Hearing Time: 9:30 a.m.

27 **THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM THAT
YOU FILED. THE DEADLINE TO RESPOND TO THE OBJECTION IS APRIL
19, 2007. PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY
COURT TO DISCUSS THE MERITS OF YOUR CLAIM. QUESTIONS
REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM
SHOULD BE DIRECTED TO BMC GROUP AT 888-909-0100, OR
WWW.BMCGROUP.COM/USACMC, or to the undersigned counsel.**

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1 **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust (“USACM
 2 Trust”) by and through its counsel, has filed an Objection to Proof of Claim No. 203 filed
 3 by Mountain West Mortgage Co./ Lerin Hills (“MWM”) (the “Objection”). USACM
 4 Trust requests that the Court enter an order sustaining its Objection in disallowing Claim
 5 No. 203 filed by MWM in its entirety, or alternatively, allow the Claim in an amount to be
 6 proven at trial.

7 **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held
 8 before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal
 9 Building, 300 Las Vegas Blvd. South, 3rd Floor, Courtroom No. 1, Las Vegas, Nevada on
 10 **April 26, 2007, at the hour of 9:30 a.m.**

11 **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON APRIL 26,
 12 2007, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND
 13 SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE
 14 HEARD ON THAT DATE.**

15 **NOTICE IS FURTHER GIVEN** that any response to the Objection must be filed
 16 by **April 19, 2007** pursuant to Local Rule 3007(b), which states:

17 If an objection to a claim is opposed, a written response must
 18 be filed and served on the objecting party at least 5 business
 19 days before the scheduled hearing. A response is deemed
 20 sufficient if it states that written documentation in support of
 21 the proof of claim has already been provided to the objecting
 22 party and that the documentation will be provided at any
 23 evidentiary hearing or trial on that matter.

24 If you object to the relief requested, you *must* file a **WRITTEN** response to this
 25 pleading with the Court. You *must* also serve your written response on the person who
 26 sent you this notice.

27 Please be advised that Local Rule 3007(c) provides in part: “If a written response is
 28 not timely filed and served, the court may grant the objection without calling the matter
 29 and without receiving arguments or evidence.” If you do not file a written response with

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1 the Court, or if you do not serve your written response on the person who sent you this
2 notice, then:

- 3 • The Court may *refuse to allow you to speak* at the scheduled hearing; and
4 • The Court may *rule against you* without formally calling the matter at the
5 hearing.

6 Dated: March 19, 2007.

7 **LEWIS AND ROCA LLP**

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9 By: /s/ RC (#6593)
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16 *Counsel for USACM Liquidating Trust*

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Proof of Service

Copy of the foregoing e-mailed on this 19th day of March, 2007 to all parties listed on the master service list with e-mail addresses, and e-mailed or mailed via First Class U.S. Mail to the following parties:

Mountain West Mortgage Co/ Lerin Hills
Thomas Jurbala
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Attorneys for Mountain West Mortgage Co.

s/ Christine E. Laurel

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